

Tzhone, Stephen

From: Gutierrez, Barbara
Sent: Thursday, August 22, 2013 3:46 PM
To: Moran, Gloria
Cc: Berg, Marlene; Tzhone, Stephen; Sanchez, Carlos
Subject: RE: Arkwood IC - Corrected Deed Notice - Update to August 20th Draft

Gloria:

We appreciate your sharing this minor revision to the IC. The revision looks fine to me. Would the region be amenable to the following change? In paragraph 11ii "No activities that will cause soil erosion and/or disrupt the integrity of the cap or landfill." Considering the current range of sampling hits for dioxin and thickness of the clean soil cover, I want to be clear that we are concerned about fairly minimal earth disturbance at the site. Let me know. Otherwise I think it looks good to go.

Barbara

From: Moran, Gloria
Sent: Wednesday, August 21, 2013 4:25 PM
To: Gutierrez, Barbara
Cc: Berg, Marlene; Tzhone, Stephen; Sanchez, Carlos
Subject: RE: Arkwood IC - Corrected Deed Notice - Update to August 20th Draft

Barbara:

The attached draft of the corrected deed notice for the Arkwood site reflects a minor revision to Paragraph 7 made today, August 21st. For your convenience, I am transmitting a draft with the revision (a strikeout) in Paragraph 7 requested today and a clean version of the updated draft.

Again, the Region is sharing this draft with your offices because of your integral role involving dioxin issues at the Arkwood site.

As I have indicated, I intend to transmit the draft of the corrected deed notice to Mr. Grisham and McKesson counsel no later than Tuesday, August (not September) 27, 2013.

Thank you for your cooperation.

Gloria Moran

Assistant Regional Counsel (6RC-S)

Superfund Branch

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moran.gloria-small@epa.gov

From: Moran, Gloria

Sent: Tuesday, August 20, 2013 5:40 PM

To: Gutierrez, Barbara

Cc: Berg, Marlene; Tzhone, Stephen

Subject:

Hi Barbara:

I am attaching a draft of the corrected deed notice for the Arkwood Superfund site. This draft includes the comments of Region 6 (Legal and Program) and ADEQ (Legal and Program). While your office is not typically involved in issues involving conditions in Institutional Controls, the Region has indicated that as HQ must be included in the integral matters involving the dioxin issues at the Arkwood site, your offices should see the draft IC also.

It is my intention to send the draft to counsel for McKesson corporation and Mr. Curt Grisham no later than Tuesday, September 27, 2013. Mr. Grisham will then have some time to review the draft IC for discussion at the September 5th meeting. Of course, McKesson counsel is not participating in the meeting on September 5th, and any comments on the draft IC from McKesson and counsel will come later.

We look forward to the participation of HQ at the meeting with Mr. Grisham on September 5th.

Thank you,

Gloria

Gloria Moran

Assistant Regional Counsel (6RC-S)

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